

ORDINANCE NO. 77-2010

AN ORDINANCE THE CITY OF READING CODIFIED ORDINANCES, CHAPTER 4, PART 1 HISTORICAL DISTRICTS BY EXTENDING ENFORCEMENT AUTHORITY TO PROPERTY MAINTENANCE INSPECTORS AND SUPERVISORS AND ZONING ENFORCEMENT OFFICERS.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

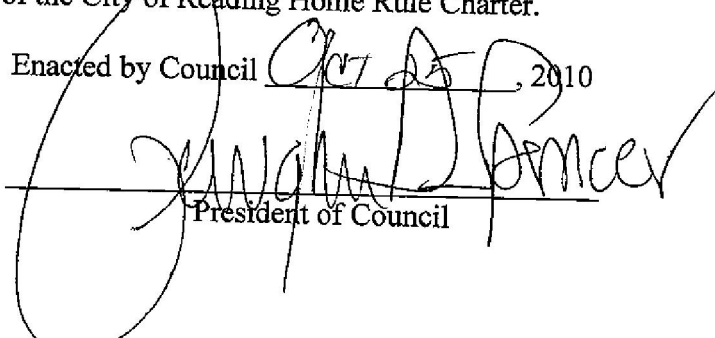
SECTION ONE. Amending the City of Reading Codified Ordinances Chapter 4, Part 1 Historical Buildings Sections 106 and 122 by extending enforcement authority to Property Maintenance Inspectors and Supervisors and Zoning Enforcement Officers as set forth in Exhibit A attached.

SECTION TWO. All other parts of the Ordinance remain unchanged.

SECTION THREE. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.


SECTION FOUR. This ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Enacted by Council Oct 25, 2010


President of Council

Attest:

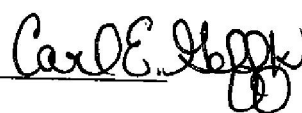

City Clerk

Submitted to Mayor: 

Date: 10/26/10

Received by the Mayor's Office: FD

Date: 10/26/10

DEPUTY
Approved by Mayor: 

Date: 10/26/10

Vetoed by Mayor: _____

Date: _____

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 25 day of Oct, A. D. 2010. Witness my hand and seal of the said City this 26 day of Oct, A. D. 2010.

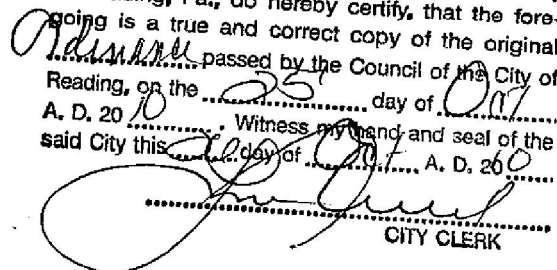

CITY CLERK

EXHIBIT A

§4-106. Enforcement and Administration.

6. Enforcement Notice.

- A. Following an inspection of a building or structure located in a designated historic district, if it appears to the Preservation Officer, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer that a violation of any provision of this Part has occurred, enforcement proceedings shall be initiated by sending a notice of violation as provided in this Section. Copies of the notice of violation shall be filed in the Zoning Office, Property Maintenance Division and Historic Preservation Office.
- B. Enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any known occupant (if different from the owner), or to any person who has filed a written request to receive enforcement notices regarding the property.
- C. An enforcement notice shall state at a minimum the following:
- (1) The name of the owner of record and any other person against whom the Preservation Officer, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer intends to take action.
 - (2) Location of the property in violation.
 - (3) The specific violation, with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
 - (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (5) That the recipient of the notice has a right to appeal to the Reading Board of Historical Architectural Review within 14 days of the receipt of the notice by completing a COA application and submitting it to the Preservation Officer for review by the Board at the next regularly scheduled meeting.
 - (6) Any person who authorizes or continues any work on any structure, building, sign or premises after having been served with an enforcement notice, except such work as is directed by the City to be performed, shall be in violation of this Part and subject to remedies set forth in §4-122 hereof.
 - (7) Any person who has been served with an enforcement notice or discontinues or abandons work shall not leave any structure, building, sign or premises in such condition as to be hazardous to the public health, safety and welfare.

D. Stop Work Orders.

(1) Upon notice from the Preservation Officer, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer that the work on any building, structure, or premises is conducted contrary to the provisions of this Part, such work shall be stopped immediately. The stop work order shall be posted by the Building Inspector, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer on the property involved and shall state the conditions under which work may be resumed.

(2) Any person who authorizes or continues any work on any building, structure, or premises after the posting of a stop work order thereon shall be in violation of this Part and subject to the penalties as set forth in §4-123.

(3) Following the posting of a stop work order any person who discontinues or abandons work shall not leave any building, structure, or premises in such condition as to be hazardous to the public health, safety and welfare. In the event that any building, structure, or premises is abandoned or left in a condition which, in the opinion of the Building Inspector, constitutes a hazard to the public health, safety and welfare, the Preservation Officer may declare the same to be a nuisance. Such hazard shall, thereafter, be abated as permitted by statute or ordinance.

(Ord. 35A-2005, 5/23/2005, §1; as amended by Ord. 16-2009, 6/8/2009, §2; and by Ord. 43-2009, 8/10/2009, §1)

§4-122. Violations.

1. **Notice.** The Preservation Officer, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer shall serve a notice of violation on the person in violation of this Part or of a plan approved under the provisions of this Part or in violation of a permit or certificate of appropriateness issued under the provisions of this Part. Such notice shall direct the restraint, correction or abatement of such violation.

2. **Prosecution.** If the violation is not abated within the time specified in the notice of violation, the Preservation Officer, Property Maintenance Inspector, Property Maintenance Supervisor or Zoning Enforcement Officer shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation.

(Ord. 35A-2005, 5/23/2005, §1)

§4-123. Penalty.

Whoever violates the provisions of this Part or fails to comply with any of the requirements thereof or conducts activities in violation of a permit issued under the provisions of this Part or who, without having applied for and received an

approved permit, conducts activities for which a permit is required under the terms of this Part shall be guilty of a summary offense and fined not more than \$300 for each offense with costs. Each day that a violation continues shall be deemed a separate offense. (*Ord. 35A-2005, 5/23/2005, §1*)